

March 28, 1934

LB 807

SPEAKER NICHOL: You have heard the motion. All those in favor say aye. Opposed nay. They are adopted.

CLERK: Senator Beyer would move to amend, Mr. President. Senator Beyer's amendment is on page 1858.

SPEAKER NICHOL: Senator Beyer.

SENATOR BEYER: Mr. Speaker and colleagues, the other day when we advanced 807 from General File, I stated at that time that we had to bring in a clarifying amendment and would do it on Select. That amendment states LB 343 of 1983 created a future central indexing system for the Uniform Commercial Code filings. The assumed need for the central indexing system arose because of the physical location of collateral, particularly farm products. They could change from the county where it was grown to a grain dealer in a different county. LB 808 which passed this session earlier amended LB 343 to include the County Register of Deeds as a county official required to send information into the Secretary of State. There are substantial problems to this requirement. First of all, filings in the Register of Deeds Office are for real estate or improvements fixed permanently to the land. Therefore, the subject matter of filings in the Register of Deeds Office does not coincide with the intent of LB 343, that is to follow movable chattel. Second, making the Register of Deeds a filing officer for purposes of the central indexing system will require this office to answer written and phone inquiries regarding information filed. This is in direct conflict with Section 76-504 which prohibits the Register of Deeds to engage in the work of a title abstractor. All this amendment does is strikes the Register of Deeds from the bill. So with that I would urge your adoption of this amendment.

SPEAKER NICHOL: Senator DeCamp, did you wish to speak to this amendment?

SENATOR DECAMP: This amendment is fine by me and the Banking Committee and whoever.